

FILED
Clerk
District Court

APR - 7 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

SMITH & WILLIAMS
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

TRANS PACIFIC EXPORT COMPANY
LLC,

Plaintiff,

vs.

MARY ANN S. MILNE,

Defendant.

Civil Action No. CV-05-0032

NOTICE OF FILING OF
PRE-DISCOVERY
DISCLOSURE STATEMENT

COMES NOW PLAINTIFF, by and through the undersigned counsel, and hereby files the attached Pre-Discovery Disclosure Statement which was inadvertently not filed before the case management conference in this matter.

RESPECTFULLY SUBMITTED.

Dated this 6th day of April, 2006.



MARK K. WILLIAMS
Attorney for Plaintiff

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**PRE-DISCOVERY
DISCLOSURE STATEMENT**

Pursuant to Local Rule 16.2CJ (d). and Rule 26(a) of the Federal Rules of Civil
Procedure, Plaintiff provides to Defendant the following:

1. PERSONS WITH DISCOVERABLE INFORMATION

- a. **Mr. Kevin Mendenhall.** Authorized representative of Transpac. He may be contacted through Eric S. Smith whose address and telephone number appear above.
- b. **Mary Ann S. Milne.** Defendant in this case and whose address is PO Box 502894, Saipan MP 96950.
- c. **Heirs of Marcello Faisao.** Mr. Faisao had a 1/6 interest in Lot 1925-4C. Mr. Faisao is now deceased. His heirs may be contacted through the Law Office of Joe Hill, Tocha Avenue, Lulai Way, Susupe, PO Box 500917, Saipan MP 96950.

1 d. **Joseph Reyes.** Mr. Reyes is Mary Ann Milne's husband and is believed to be
2 part-owner of Lot 1925-4C. His address is c/o PO Box 502894, Saipan MP 96950.

3 e. Plaintiff intends to retain expert witnesses in this case which may include but not
4 be limited to a professional real estate broker, surveyor and economist/accountant. Plaintiff
5 reserves the right to supplement its disclosure at a later time.

6 f. Plaintiff's investigation in this matter is ongoing. Plaintiff reserves the right to
7 supplement this witness disclosure once its investigation is complete.

8
9 2. **DESCRIPTION AND LOCATION OF RELEVANT DOCUMENTS**

10 a. Lease Agreement between Mary Ann Milne and Basic Construction Supply Corp.
11 dated August 2, 1990.

12 b. Assignment of Lease between Basic to Transpac dated October 19, 2000

13 c. Survey Plat for Lot Nos. 1925-4, 1925-5-1, 1925-5-2, 1925-6-1 & 1925-6-R1 or
14 hereinafter the "Property."

15 d. All relevant documents pertaining to the Property including but not be limited to
16 Lease Agreements, Sublease Agreement, Quitclaim Deeds, Easements, Abstracts, Title Reports,
17 Maps, other Survey Plats and Correspondence.

18 e. Plaintiff reserves the right to supplement this disclosure if further documents are
19 found.


20 All documents listed above and all documents relevant to the allegations contained in the
21 complaint are located at Smith & Williams' office.

22
23 3. **COMPUTATION OF DAMAGES.**

24 Damages have not been fully computed at this time. Plaintiff estimates its damages to be
25 \$1,500,000. Plaintiff reserves the right to submit specific damage computation and supporting
26 documentation at a later time.

1 RESPECTFULLY SUBMITTED.

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3 Date: April 6, 2006

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5 MARK K. WILLIAMS
6 Attorney for Plaintiff
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